

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

SHEET METAL WORKERS LOCAL 265)	
WELFARE FUND, <i>et al.</i> ,)	
)	
Plaintiffs,)	CIVIL ACTION
)	
vs.)	NO. 08 C 2814
)	
AMERICAN CHUTE SYSTEMS, INC.,)	JUDGE SAMUEL DER-YEGHIAYAN
an Illinois corporation,)	
)	
Defendant.)	

MOTION FOR ENTRY OF DEFAULT AND JUDGMENT

NOW COME Plaintiffs, by their attorneys, and move for entry of judgment by default against Defendant, AMERICAN CHUTE SYSTEMS, INC., an Illinois corporation, in the total amount of \$26,060.00, plus Plaintiffs' court costs and reasonable attorneys' fees in the amount of \$452.50.

On May 20, 2008, the Summons and Complaint was served on the Registered Agent (by tendering a copy of said documents to Wes Stokke, Superintendent) at his place of business (a copy of the Summons and Affidavit of Service is attached hereto). Therefore, Defendant's answer was due on June 9, 2008. As Defendant has failed to timely answer the Complaint, Plaintiffs respectfully request entry of default and judgment.

/s/ Beverly P. Alfon

CERTIFICATE OF SERVICE

The undersigned, an attorney of record, hereby certifies that she electronically filed the foregoing document (Motion) with the Clerk of Court using the CM/ECF system, and further certifies that I have mailed the above-referenced document by United States Mail to the following non-CM/ECF participant on or before the hour of 5:00 p.m. this 19th day of June 2008:

Mr. Frank E. Stephens, Registered Agent/President
American Chute Systems, Inc.
603 E. Washington Street
Joliet, IL 60433

/s/ Beverly P. Alfon

Beverly P. Alfon
Attorney for Plaintiffs
BAUM SIGMAN AUERBACH & NEUMAN, LTD.
200 West Adams Street, Suite 2200
Chicago, IL 60606-5231
Bar No.: 6274459
Telephone: (312) 236-4316
Facsimile: (312) 236-0241
E-Mail: balfon@baumsigman.com

AO 440 (Rev. 05/00) Summons in a Civil Action

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF ILLINOIS

SUMMONS IN A CIVIL CASE

SHEET METAL WORKERS LOCAL 265
WELFARE FUND, et al.

V.

AMERICAN CHUTE SYSTEMS, INC., an
Illinois corporation

CASE NUMBER: 08CV2814 RCC
JUDGE DER YEGHIAYAN
ASSIGNED JUDGE: MAGISTRATE JUDGE COLE
DESIGNATED
MAGISTRATE JUDGE:

TO: (Name and address of Defendant)

American Chute Systems, Inc.
c/o Frank E. Stephens, Registered Agent/President
603 E. Washington Street
Joliet, IL 60433

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Beverly P. Alfon
BAUM SIGMAN AUERBACH & NEUMAN, LTD.
200 W. Adams Street, Suite 2200
Chicago, IL 60606-5231
(312) 236-4316

an answer to the complaint which is herewith served upon you, within Twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

NOTE: When the print dialogue
box appears, be sure to uncheck
the Annotations option.

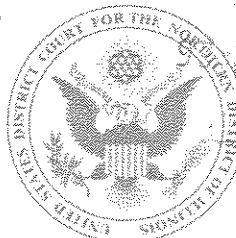
Michael W. Dobbins, Clerk



(By) DEPUTY CLERK

May 15, 2008

Date



RECEIVED
MAY 16 PM 2
CLERK'S
OFFICE

SHEET METAL WORKERS LOCAL 265
-VS-
AMERICAN CHUTE SYSTEMS, INC.

BAUM SIGMAN AUERBACH & NEUMAN
200 W. ADAMS STREET
SUITE 2200
CHICAGO, IL

PAID MAY 19 2007

===== DESCRIPTION ===== ATTEMPTED SERVICES =====
DATE TIME BADGE #

SUMMONS & COMPLAINT

ISSUED: 5/19/08 EXPIRES: 6/15/08
FEES: 40.00 EVC/DEP:

===== PERSON TO BE SERVED =====

AMERICAN CHUTE SYSTEMS, INC.
603 E. WASHINGTON STREET
JOLIET, IL

NOTES:
C/O: FRANK E. STEPHENS - REG. AGENT

I CERTIFY THAT I HAVE SERVED THE ATTACHED PROCESS ON THE DEFENDANT AS FOLLOWS:

(A) _____ PERSONAL SERVICE: BY LEAVING A COPY OF THE _____ SUMM/COMP _____ CITATION
_____ RULE _____ ORDER _____ SUBPOENA _____ NOTICE _____ JUDGEMENT
_____ SUMMONS/PETITION FOR ORDER OF PROTECTION _____ ORDER OF PROTECTION.
_____ CIVIL NO-CONTACT ORDER.

(B) _____ SUBSTITUTE SERVICE: BY LEAVING A COPY OF THE _____ SUMM/COMP _____ CITATION
_____ NOTICE _____ JUDGEMENT _____ ORDER OF POSSESSION _____ AT THE USUAL PLACE OF
ABODE WITH SOME PERSON OF THE FAMILY 13 YEARS OR OLDER AND INFORMING
SAID PERSON OF THE CONTENTS. ALSO, A COPY OF THE WRIT WAS MAILED TO
THE DEFENDANT AT HIS/HER USUAL PLACE OF ABODE ON _____ (date)

(C) ☒ SERVICE ON: ☒ CORPORATION _____ COMPANY _____ BUSINESS by leaving a
COPY OF THE _____ SUMM/COMP _____ CITATION _____ RULE _____ ORDER _____ NOTICE
_____ JUDGEMENT _____ SUBPOENA WITH THE REGISTERED AGENT, AUTHORIZED PERSON
OR PARTNER OF THE DEFENDANT.

(D) _____ OTHER SERVICE: _____ CERTIFIED MAIL _____ POSTING

(E) _____ THE NAMED DEFENDANT WAS NOT SERVED:
_____ MOVED _____ NOT LISTED _____ RETURNED BY ATTY. _____ EXPIRED
_____ NO CONTACT _____ NO SUCH ADDRESS _____ DECEASED _____ OTHER REASON

PERSON TO BE SERVED: American Chute Systems Inc

SERVING ADDRESS: 603 E Washington Jol

WRIT SERVED ON: Wes Stokke RELATIONSHIP: Superintendent
SEX M (M/F) RACE W DOB 49

THIS 20 DAY OF MAY 2008 TIME 1119 HOURS

PAUL J. KAUPAS, SHERIFF, BY [Signature] DEPUTY # 1130

REMARKS: _____